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FM AMEMBASSY JAKARTA

TO RUEHC/SECSTATE WASHDC IMMEDIATE 8437

INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY

RUEHBJ/AMEMBASSY BEIJING 4840

RUEHBY/AMEMBASSY CANBERRA 2206

RUEHLM/AMEMBASSY COLOMBO 0961

RUEHKO/AMEMBASSY TOKYO 1694

RUEHWL/AMEMBASSY WELLINGTON 2440

RUEHHK/AMCONSUL HONG KONG 2513

RUEHBAD/AMCONSUL PERTH 0648

RHEHNSC/NSC WASHDC

RUEHC/DEPT OF LABOR WASHDC

RUEAIIA/CIA WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 000587

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DEPT FOR EAP/MTS, EAP/MLS, DRL/IL, DRL/PHD, G/TIP
DOL FOR ILAB:BSASSER
NSC FOR EPHU

E.O. 12958: DECL: 03/20/2018

TAGS: PGOV ELAB PHUM ID BM

SUBJECT: BURMESE SEAFARER ALLEGEDLY TRAFFICKED TO INDONESIA

REF: A. JAKARTA 491

1B. (07) JAKARTA 3257

Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b+d).

11. (C) SUMMARY: A Burmese seafarer allegedly trafficked to Indonesia to work for low wages aboard an Indonesian oil tanker is struggling with the company to regain his passport and withheld wages. The apparent victim, Kyaw Htin, is an experienced chief engineer. The Burmese Embassy has refused to help him. An Indonesian labor union is trying to, but the company is not cooperating. There are indications that other Burmese seafarers may be in similar circumstances in Indonesia. Mission will continue to monitor the case and help where possible. END SUMMARY.

A STRANDED SEAFARER

12. (C) Kyaw Htin, a Burmese national and chief ship's engineer by profession, has been stranded in Jakarta since January struggling with his employer to regain his passport and to be paid withheld wages. Labatt met March 18 with Htin, accompanied by Hanafi Rustandi, president of the Indonesian Seafarers Union, an affiliate of the International Transport Workers Federation (ITF).

13. (C) Htin stated that a Sri Lankan recruiter for the Indonesian shipping company Bumi Laut recruited Htin in Rangoon in 2006, promising a salary of approximately \$3,000 a month plus travel expenses. He was flown to Jakarta in December 2006 on a one-year contract to serve as chief engineer on an oil tanker plying between Amboin in eastern Indonesia and Jakarta. The company, however, arranged a tourist visa for him instead of the correct work visa, and furthermore paid provided him a salary of only \$1,200 a month. After his contract ended in December 2006, the company furthermore withheld nearly \$ 5,000 in back salary, "lost" his passport and refused to pay his transport home, Htin explained to Labatt.

14. (C) Bumi Laut has been pressuring Htin to continue working for wages which are a third of what Indonesian chief engineers demand, and also thousands of dollars lower than what Htin, age 41, can earn on other ships. Hanafi Rustandi explained to Labatt that chief engineers are in short supply

worldwide and that none would work for the low wages being paid Htin. Hanafi believes Bumi Laut is withholding Htin's salary and passport in order to keep Htin trapped into working for slave wages. Hanafi cites 42 other Burmese now working on seven Bumi Laut vessels who he believes are all underpaid, in addition to many Indonesian seafarers who are also being paid far below the minimum legal wage.

ASSISTANCE FROM INDONESIAN LABOR UNION

¶ 15. (C) Bumi Laut operates Panamanian-flagged ships under contract with the national oil company Pertamina, Hanafi said, adding that Bumi Laut is owned by Jaka Aryadipa Singgih, a member of Parliament with the Indonesian Democratic Party of Struggle (PDI-P). ITC sent a letter to President Yudhoyono on March 7 pleading that Htin be paid and his passport returned, and Hanafi has assisted Htin in taking the story to the media. Major newspapers have published a half-dozen reports detailing Htin's plight. Bumi Laut attorneys have publicly denied Htin's allegations, according to the March 8 Jakarta Post.

¶ 16. (C) Hanafi also helped Htin contact the Indonesian National Police (INP). An officer accompanied Htin to Bumi Laut offices in order to retrieve his passport but company officials told police it was lost, Hanafi said. Htin then went to the Burmese Embassy, where a diplomat told him, "Why are you coming here and making trouble for us? We cannot help you," Htin told Labatt. The Embassy subsequently agreed to issue him a new passport in a month's time if Bumi Laut could produce a letter stating his passport was lost.

¶ 17. (C) ITC began paying for Htin's living expenses on March

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19, so that he is not dependent on the company while he continues to pursue his case. The company has threatened that if Htin goes to the media or police again that he will "lose everything." Labatt told Htin and Hanafi that if they are not able to make any progress in the next few days that he could help refer the case to the INP's national anti-trafficking task force which has made arrests in other cases of foreign nationals trafficked to Indonesia.

AN UNUSUAL CASE

¶ 18. (C) This is an unusual case in Indonesia of alleged trafficking of highly skilled, well-paid labor, seldom seen, according to Jamie Davis, Country Program Director for Solidarity Center (overseas office of AFL-CIO). The case might be part of a wider trafficking operation exploiting Burmese seafarers who are especially vulnerable because of lack of protection by the Burmese government, though it is not yet clear. Mission will continue to monitor the case and assist however possible. Htin seems to be in very good hands: Hanafi is a tough labor operative who risked traveling to Iran in October 2007 to fight for the rights of imprisoned activists and who has organized labor protests outside of the Iranian Embassy in Jakarta on the same matter (see reftels).

HUME